

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
PINE BLUFF DIVISION

KINGRALE COLLINS,
ADC #SK945

PETITIONER

v. 5:06CV00073 SWW/HDY

STATE OF ARKANSAS, et al.

RESPONDENT

ORDER

Pending before this Court is Petitioner's Petition under 28 U.S.C. § 2254 for Writ of Habeas Corpus by a person in state custody (DE #1).

Petitioner filed this petition on March 29, 2006. On March 9, 2006, the Arkansas Supreme Court reversed and remanded Petitioner's state court case to Cross County circuit court to appoint qualified counsel and grant leave for the Petitioner to file a new petition for post-conviction relief. Collins v. Arkansas, No. CR05-71, March 9, 2006. Therefore, Petitioner has not exhausted his claims in state court.

Pursuant to 28 U.S.C. § 2254, this Court lacks jurisdiction over the matter until Petitioner has exhausted his state court remedies and a final order has been entered in state court.

Accordingly,

IT IS, THEREFORE, ORDERED that Petitioner's Habeas Corpus Petition is DISMISSED without prejudice to the filing of a petition after Petitioner exhausts his state remedies.

IT IS SO ORDERED THIS 27TH DAY OF APRIL, 2006.

/s/Susan Webber Wright

UNITED STATES DISTRICT JUDGE